

Washington Law Review

Volume 3 | Number 4

10-1-1928

Handbook on International Law, 2d ed. by George Grafton Wilson (1927)

Charles E. Martin
University of Washington School of Law

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wlr>



Part of the [International Law Commons](#)

Recommended Citation

Charles E. Martin, Book Review, *Handbook on International Law*, 2d ed. by George Grafton Wilson (1927), 3 Wash. L. Rev. 197 (1928).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol3/iss4/6>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington Law Review by an authorized editor of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

be worked out on a practical basis, giving industrial peace and security to the general consuming public.

The analysis of the Uniform Conditional Sales Law, by Dean Bogert of the Cornell Law School, is of interest because it traces the development in different states of the varying rules in regard to conditional sales and the reasons for the choice of those adopted by the commissioners on uniform laws. In this connection it is interesting to note that the act was drafted with the aid of leading business men engaged in selling on conditional sale, and that the act "embodies the opinions and views of a body of business men more than it does the views of a body of teachers of law." This act has been adopted in many states and as it will probably come up before the Washington Legislature in the near future, a careful study of this article will give a good idea of the changes which its adoption will bring. The most important change from the theory now in force in Washington is the recognition of the fact that in spite of the difference in phraseology, a conditional sale is, like a bill of sale with a chattel mortgage back, really a method of security to a seller on credit.

The address by Solicitor General Beck on the Supreme Court gives a vivid picture of the early days when that court was "a court of leisure, deliberation and dignity, where men had the time and took the pains to exhaust the possibilities of reasoning and where the clash of mind with mind attracted attention in the public mind to which only a world's champion baseball match is today comparable." The present court does not attract the crowds and cannot give the time for argument, but as Mr. Beck points out, the questions before it are no less important and far-reaching, the arguments and opinions are as able and lawyers often come ten times as far and get less than one-tenth the time for argument.

The concluding address on the "Need of the Right of Local Self Government," by Mr. Marbury of Baltimore, sounds a warning against the tendency toward centralization, and while it will meet with disagreement on the part of many a reader, deserves consideration. While there is, of course, a difference in the weight of the various addresses, every one is interesting and worth reading, and the weightier ones are worth careful study.

HORTON C. FORCE.*

* Of the Seattle Bar.

HANDBOOK ON INTERNATIONAL LAW. By George Grafton Wilson. 2nd edition. St. Paul: West Publishing Co. 1927. pp. xxi, 567.

Dr. Wilson of Harvard University has, in the present revision, brought down to date his volume on international law. This is one of the useful manuals of the Hornbook series, which includes elementary treatises on all the principal subjects of the law. The book follows the other Hornbooks in its essential features, with a statement of leading principles in headnotes, a brief but thorough commentary, and references to authorities in the form of notes. It provides today, as it did when first published in 1910, a most authoritative brief elucidation of the general principles of international law. It is, indeed, as comprehensive as the ordinary text on international law used in the department of political science and the colleges of liberal arts.

In this revision the author has wisely followed a sane middle course. Much time is wasted by many writers in taking up the old debate as to whether international law is really law. The answer to such a question begins and ends with the definition of law. No time is lost debating such a question. Moreover, some writers have advocated the general revision of the substance of international law, on the theory that much of what was deemed to be the old law has been swept aside, and a new law has come into being. The author has wisely taken the view that these changes are far less revolutionary than many have assumed. He has therefore retained substantially the method and content of the first edition, with revisions and additions which make it a complete statement of the law as it is today.

Dr. Wilson has also refrained from a tendency which is manifested in

some quarters at the present time. He has not declared war on the laws of war. It may be wise to give less attention to the laws of war, or the "so-called" laws of war, as one author has naively called them, but it is unwise to exclude them, or to deny to them the classification of law. There must be rules for the government of contending armed forces, or civilization is doomed. Nor need we be deluded by such assumptions as the end of war, or that war must be made so terrible that man must fear and dread it. Publicists and scholars, while seeking to perfect a system of international judicial machinery which will reduce and even eliminate war, can with profit give themselves to a consideration of the rules which should prevail should, unfortunately a conflict arise. The substantive changes in the law of nations, therefore, are not so great as they appear to be.

Dr. Wilson also consults the usual sources for his statement of general principles. The movement toward codification, while seeking to make the law more definite and determinate, can be nothing more than a statement of the law as it has prevailed through the years. The World War and the Treaty of Peace have not marked the turning point in history many have represented them to have done. This war ended as others have—in the defeat of one of the parties. It is not extravagant to assume that future conflicts will end in the same way. It does not, in and of itself, mark the beginning of a law which is certain and definite. The present efforts at codification are commendable, but some of them may be as fruitless as former attempts which are so violently scored at the present time. Much of it may go the way of the Declaration of London, and it can be called authoritative as it is observed. Dr. Wilson does well to rely on the usual sources until the codified law proves its finality.

Another tendency is to find fault with certain international law terms, such as "sovereignty" "family of nations," "freedom of the seas," "independence," "equality" etc. International law concepts change slowly as do the terms which are used to designate them. Long accepted usage remains the best test, both in the substance and the terminology of the law. Such terms will hardly yield to newer ones which are suggested as descriptive of practices which do not as yet really obtain in the law of nations.

International law according to Dr. Wilson, is law. It is not politics. In treating of a subject which belongs to the ages, during a period deemed by some to be a new age, he has used the skill of the scientist and the caution of the jurist, rather than the liberties of the journalist or propagandist.

CHARLES E. MARTIN.

THE ART OF ARGUMENT. By Harold F. Graves and Carle B. Spotts. New York: Prentice-Hall, Inc., 1927, pp. xi, 298.

The book is designed as a short, practical work on argument for the use of "the scientists, the engineer * * * the business man," as well "as the lawyer or orator." The authors start with the proposition that argument is basic in all fields, showing its varied uses and its importance as an incentive to progress. Coming to the actual machinery of this art, they work out the various steps in gathering the material and organizing it for an effective argument. Then they take up the different types of audiences and show how the argument can be successfully delivered. Every chapter is followed by valuable and practical exercises which should enable the student to tie in the theory with actual practice.

Part two is devoted to specimens of arguments, used in the broad sense, the attention of the reader being directed to the devices used by the speaker and the manner in which he has presented his material.

On the whole the book is very satisfactory although it is quite general in its appeal and not specially adapted to the use of the lawyer.

M. A. M.